

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MMAGINE, LLC d/b/a)	
MMAGINE MUSIC,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:06-0482
)	Judge Echols
)	
LANCE GILBREATH p/k/a BUCKLER)	
BRISTOL STREET PRODUCTIONS)	
and CROSSLIGHT PROMOTIONS,)	
)	
Defendants.)	

ORDER

This matter is before the Court on a Report and Recommendation ("R & R") (Docket Entry No. 24) in which the Magistrate Judge recommends this action be dismissed for failure to prosecute. The R & R was issued on October 12, 2006, and Plaintiff has filed no objections thereto, even though it was informed in the R & R that any objections needed to be filed within ten (10) days (Docket Entry No. 24 at 3).

Under Federal Rule of Civil Procedure 72(b) and 28 U.S.C. § 636(b)(1), the Court may accept, reject, or modify in whole or in part the findings or recommendations made by the Magistrate Judge. Having carefully reviewed the entire record in this case, the Court finds that the Magistrate Judge was correct in concluding that dismissal for failure to prosecute is appropriate given that Plaintiff, a limited liability company, after adequate notice and opportunity, failed to secure substitute counsel after initial counsel was allowed to withdraw.

Accordingly, the Court rules as follows:

(1) The Report and Recommendation (Docket Entry No. 24) is hereby ACCEPTED; and

(2) This case is hereby DISMISSED for Plaintiff's failure to prosecute.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", is written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE